

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
LYNCHBURG DIVISION**

TRE'MANE FUQUA

Plaintiff,

v.

CENTRA HEALTH, INC., et. al.

Defendants.

)
)
)
)
)
)
)
)
)
)

CASE NO.: 6:23CV00065

**PLAINTIFF'S SECOND MOTION FOR EXTENSION OF TIME TO FILE AFFIDAVIT
OF SERVICE FOR DEFENDANT JOHN DOE**

COMES NOW the Plaintiff, Tre'Mane Fuqua, by and through his attorney, M. Paul Valois, Esq., and respectfully moves the Court to enter an order extending the time for filing the affidavit of service of the Complaint and Summons on Defendant John Doe under Federal Rules of Civil Procedure 4(m). In support thereof, Plaintiff states as follows:

1. Plaintiff filed his Complaint herein on October 23, 2023.
2. This Court previously granted an extension of time to serve Defendant John Doe until March 22, 2024 to serve John Doe, but Plaintiff was unable to identify him by that date.
3. Plaintiff filed a FOIA request with the City of Lynchburg on March 18, 2024 seeking records that would identify John Doe in order to effect service. The FOIA request was sent for review to the Lynchburg Police Department.
4. After review, the Lynchburg Police Department recently responded to the FOIA request by identifying 2.7 hours of bodycam video recording that should identify John Doe.

5. Under Virginia's Freedom of Information Act, public agencies may provide that attorneys may review, but may not receive copies of, documents related to a criminal investigation.
6. The Lynchburg Police Department has agreed to allow counsel for the Plaintiff to view the requested records before April 12, 2024, at which time the Plaintiff should be able to identify John Doe by name and have him served.

WHEREFORE, in light of the foregoing, Plaintiff respectfully prays this Court grant him a 60-day extension of the time period for filing the affidavit of service for Defendant John Doe.

Respectfully Submitted,

TRE'MANE FUQUA
By Counsel

JAMES RIVER LEGAL ASSOCIATES
7601 Timberlake Road
Lynchburg, Virginia 24502
P (434) 845-4529
F (434) 845-8536

By: /s/ M. Paul Valois
M. Paul Valois, Esquire
Counsel for Plaintiff
Virginia State Bar No. 72326
mvalois@vbclegal.com

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of April, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such to all counsel of record.

/s/ M. Paul Valois, Esq.
M. Paul Valois
Counsel for Plaintiff
Virginia State Bar No. 72326
mvalois@vbclegal.com